

81-144-1 126 PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1.202.3.B (211.3.24.1) to permit a side yard setback of 11' instead of the required 15'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; or the following reasons: (indicate hardship or practical difficulty)

We need the additional room. This is the only way to expand.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law of Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name) _____

Signature _____

Address _____

City and State _____

Phone No. _____

Legal Owner(s):

(Type or Print Name) Joel B. Charkatz

Signature [Signature]

(Type or Print Name) Harriet S. Charkatz

Signature [Signature]

(Type or Print Name) Harriet S. Charkatz

Signature _____

Address 4616 Tema Rd. 722-4044

City and State Baltimore 21208

Name, address and phone number of legal owner, contract purchaser or representative to be contacted:

Name _____

Address _____

City and State _____

Phone No. _____

Attorney's Telephone No.: _____

ORDERED By The Zoning Commissioner of Baltimore County, this 30th day of December, 1980, that the subject matter of this petition be advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 12th day of February, 1981, at 9:30 o'clock A.M.

Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 30, 1981

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

ofo
Nicholas B. Commodari
Chairman

MEMBERS

Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. & Mrs. Joel B. Charkatz
4616 Tema Road
Baltimore, Maryland 21208

RE: Item No. 126
Petitioner - Joel B. Charkatz, et ux
Variance Petition

Dear Mr. & Mrs. Charkatz:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

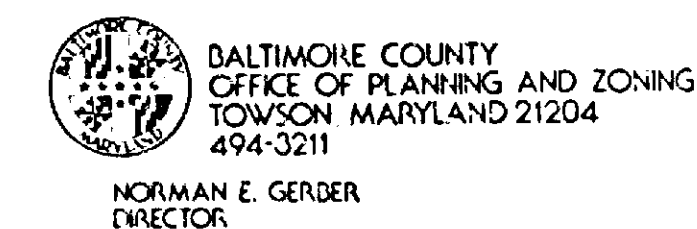
Because Mr. Hammond allowed this hearing to be scheduled for an early date, I have not received the comments from this Committee. However, it was verbally indicated to me that there were no particular problems with your request as it pertains to their respective departments. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

ENCLOSURE

cc: W.H. Primrose & Associates
21 W. Pennsylvania Avenue
Towson, Maryland 21204



January 19, 1981

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

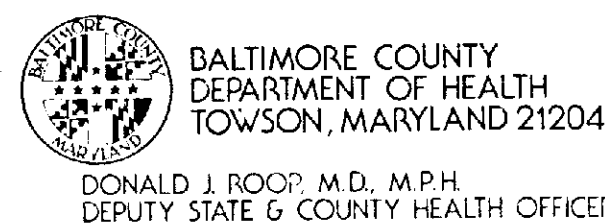
Comments on Item #126, Zoning Advisory Committee Meeting, December 30, 1980, are as follows:

Property Owner: Joel B and Harriet S. Charkatz
Location: N/S Tema Road 125' W. of Arrowhead Road
Acres: 55/48.49 X 119.36/125.73
District: 2nd

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,
John L. Wimbley
John L. Wimbley
Planner III
Current Planning and Development



DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE & COUNTY HEALTH OFFICER

January 26, 1981

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning,
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #126, Zoning Advisory Committee Meeting of December 30, 1980, are as follows:

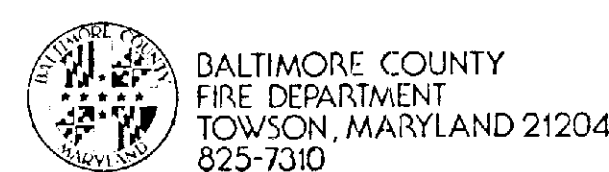
Property Owner: Joel B. & Harriet S. Charkatz
Location: N/S Tema Rd. 125' W. of Arrowhead Rd.
Existing Zoning: D.R. 5-5
Proposed Zoning: Variance to permit a side yard setback of 11' in lieu of the required 15'
Acres: 55/48.49 X 119.36/125.73
District: 2nd

Metropolitan water and sewer exist; therefore the proposed addition should not pose any health hazards.

Very truly yours,

Ian J. Forrester
IAN J. FORRESTER, Director
BUREAU OF ENVIRONMENTAL SERVICES

LJF/mw



PAUL H. REMCKE
CHIEF

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Joel B. & Harriet S. Charkatz

Location: N/S Tema Road 125' W. of Arrowhead Rd.

Item No.: _____ Zoning Agenda: _____

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

() 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY [Signature] Noted and Approved: _____
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Nick Commodari Date: January 16, 1981

FROM: Charles E. (Ted) Burnham
Zoning Advisory Committee
Meeting December 30, 1980

SUBJECT: _____

ITEM #122 Standard Comments
ITEM #123 See Comments
ITEM #124 See Comments
ITEM #125 See Comments
ITEM #126 Standard Comments

Charles E. Burnham
Charles E. Burnham (Ted)
Plans Review Supervisor

CEB:rrj

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: January 5, 1981

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: December 30, 1980

RE: Item No: 122, 123, 124, 125, 126
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,
Nick Petrovich
Mr. Nick Petrovich, Assistant
Department of Planning

WNP/bp

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 12th day of February, 1981, that the herein Petition for Variance(s) to permit a side yard setback of 11 feet in lieu of the required 15 feet should be and the same is GRANTED, from and after the date of this Order, subject, however, to the approval of a site plan by the Department of Public Works and the Office of Planning and

Jan M. H. Jones
Deputy Zoning Commissioner of Baltimore County

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
N/S of Tema Rd., 125' :
W of Arrowhead Rd., 2nd District : OF BALTIMORE COUNTY
JOEL B. CHARKATZ, Petitioner : Case No. 81-144-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
John W. Hession, III
John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 26th day of January, 1981, a copy of the foregoing Order was mailed to Mr. and Mrs. Joel B. Charkatz, 4616 Tema Road, Baltimore, Maryland 21208, Petitioners.

John W. Hession, III
John W. Hession, III

Mr. Joel Charkatz
4616 Tema Rd. 21208
922-4044

Beginning at a point on the north side of Tema Road approximately 125 feet west of Arrowhead Rd. and known as lot 11, Block 8 of Chartwell Addition and recorded among the land records of Baltimore County in Plat Book 28 Folio 24, also known as 4616 Tema Road.

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

February 11, 1981

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #126 (1980-1981)
Property Owner: Joel B. & Harriet S. Charkatz
N/S Tema Road 125' W. of Arrowhead Road
Acres: 55/48.49 x 119.36/125.73
District: 2nd

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements are not directly involved and are as secured by Public Works Agreement #26201, executed in connection with the development of Chartwell, of which this property comprises lot 11, Block "B" of Chartwell Addition, recorded W.J.R. 28, Folio 24.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this item 126 (1980-1981).

Very truly yours,

Robert A. Morton
ROBERT A. MORTON, P.E., Chief
Bureau of Public Services

RAM:EAM:FWR:ss

cc: Jack Winbley

P-SE Key Sheet
26 NW 27 Pos. Sheet
NW 7 G Topo
77 Tax Map

D&C

Dahne and Charkatz

CERTIFIED PUBLIC ACCOUNTANTS

BARRY L. DAHNE, CPA
JOEL B. CHARKATZ, CPA

1101 ST. PAUL ST., BALTIMORE, MD. 21202
TELEPHONE - JO1/837-0446

January 7, 1981

Mr. William Hammond
Zoning Commissioner
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: 4616 Tema Road
Baltimore, Maryland 21208

Dear Mr. Hammond:

During the last week of 1980 I applied for a zoning variance in order that I may add a room onto my residence. I have been notified, through telephone conversation, that I may expect the zoning hearing to be held around the end of February. I have also been told that there will be a period of time after the hearing which I must wait before the permission can be granted.

My contractor is prepared to begin construction immediately and the price which he has given me will hold only until the end of February. Needless to say, he is willing to compromise his price substantially in order that he may obtain work during the slack winter period.

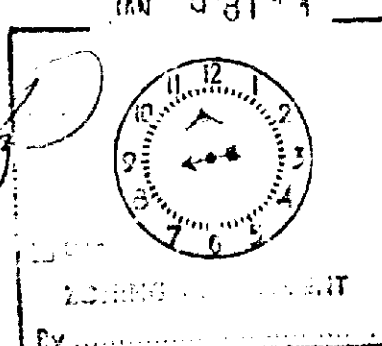
I would appreciate a hearing date as early as possible in order that I may save myself several thousand dollars. If construction can begin during February and the zoning requirements are not complete I would of course be willing to incur the cost of destroying whatever work has been done up to the point that the zoning approval would not be granted. Naturally I have spoken with neighbors and received no objection to the addition; I therefore believe that my exposure is minimal.

Your cooperation will be greatly appreciated. If there is anything further which you may require please contact me.

Thank you,

Joel B. Charkatz
Joel B. Charkatz

81-144-A



Mr. William E. Hammond
Zoning Commissioner
Room 109, County Office Building
Towson, Maryland 21204

RE: Case No. 81-144-A
Building Permit Application
No.
2nd Election District

Dear Mr. Hammond:

We, the undersigned, being the owner of the above mentioned property and the applicant for the above referenced building permit, do hereby acknowledge that we are fully aware of your Order being subject to a thirty (30) day appeal period, but wish to go ahead with the construction of improvements on the property prior to the expiration of said appeal period.

We hereby relieve our builder, Baltimore County Maryland and you from any liability or responsibility in this matter and agree to assume any and all financial responsibility for any consequences which might arise during the appeal period if an appeal is filed after construction has begun.

Very truly yours,

Joel B. Charkatz
Harriet S. Charkatz

JK 99 2/12/81

PETITION FOR VARIANCE

2nd District

ZONING: Petition for Variance for side yard setback
LOCATION: North side of Tema Road, 125 feet West of Arrowhead Road
DATE & TIME: Thursday, February 12, 1981 at 9:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a side yard setback of 11 feet in lieu of the required 15 feet

The Zoning Regulation to be excepted as follows:

Section 1802.3.B (211.3 & 214.1) - Side yard setbacks

All that parcel of land in the Second District of Baltimore County

Being the property of Joel B. Charkatz, et ux, as shown on plat plan filed with the Zoning Department

Hearing Date: Thursday, February 12, 1981 at 9:30 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

January 27, 1981

Mr. & Mrs. Joel Charkatz
4616 Tema Road
Baltimore, Maryland 21208

RE: Petition for Variance
N/S Tema Rd., 125' W of Arrowhead Road
Case No. 81-144-A

Dear Mr. & Mrs. Charkatz:

This is to advise you that \$55.30 is due for advertising and posting of the above-property.

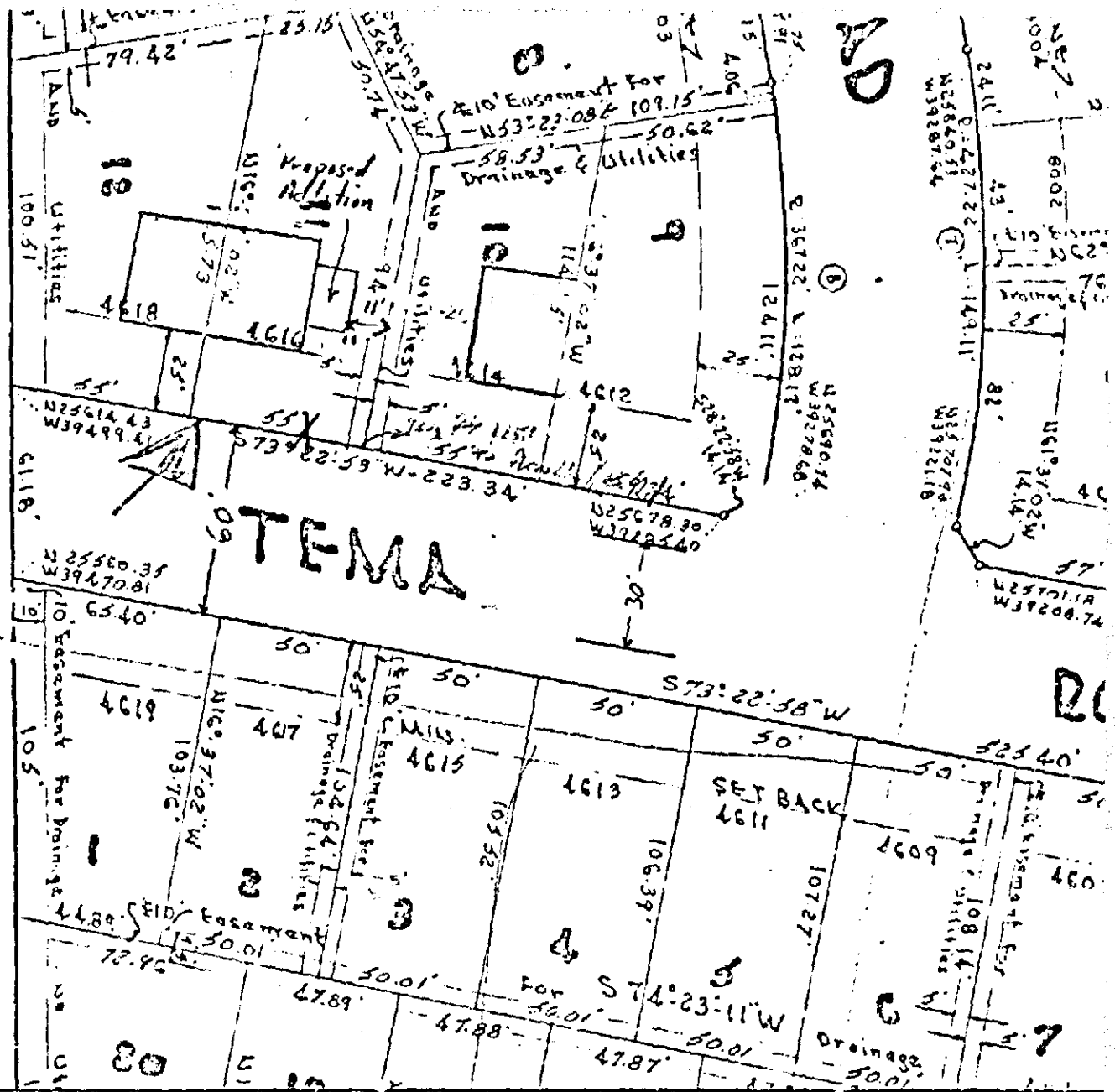
Please make check payable to Baltimore County, Maryland and remit to Sondra Jones, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,
William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

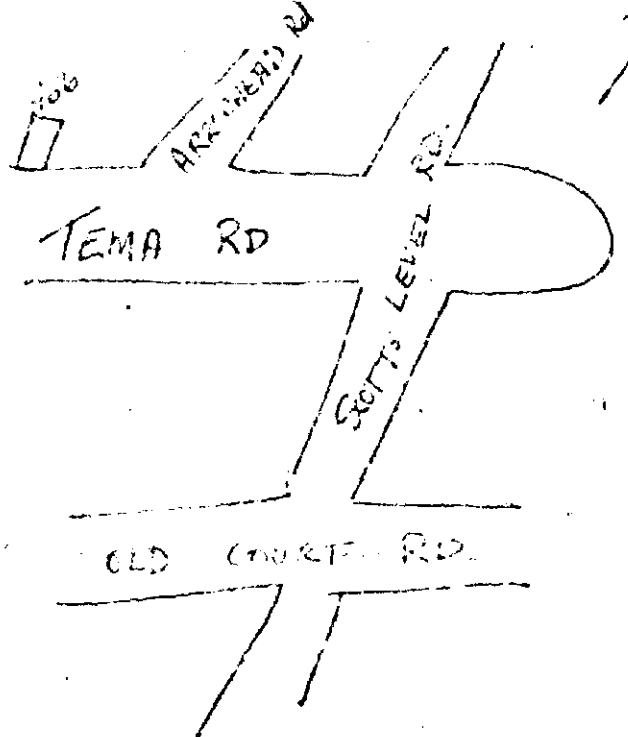
WEH:sj

C. BANG

2



LOCATION PLAN



Plat for Zoning Variance

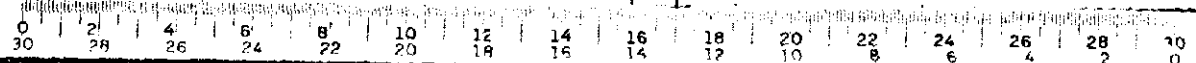
Election District No. 2
Balto. County

SCALE 1" = 50'

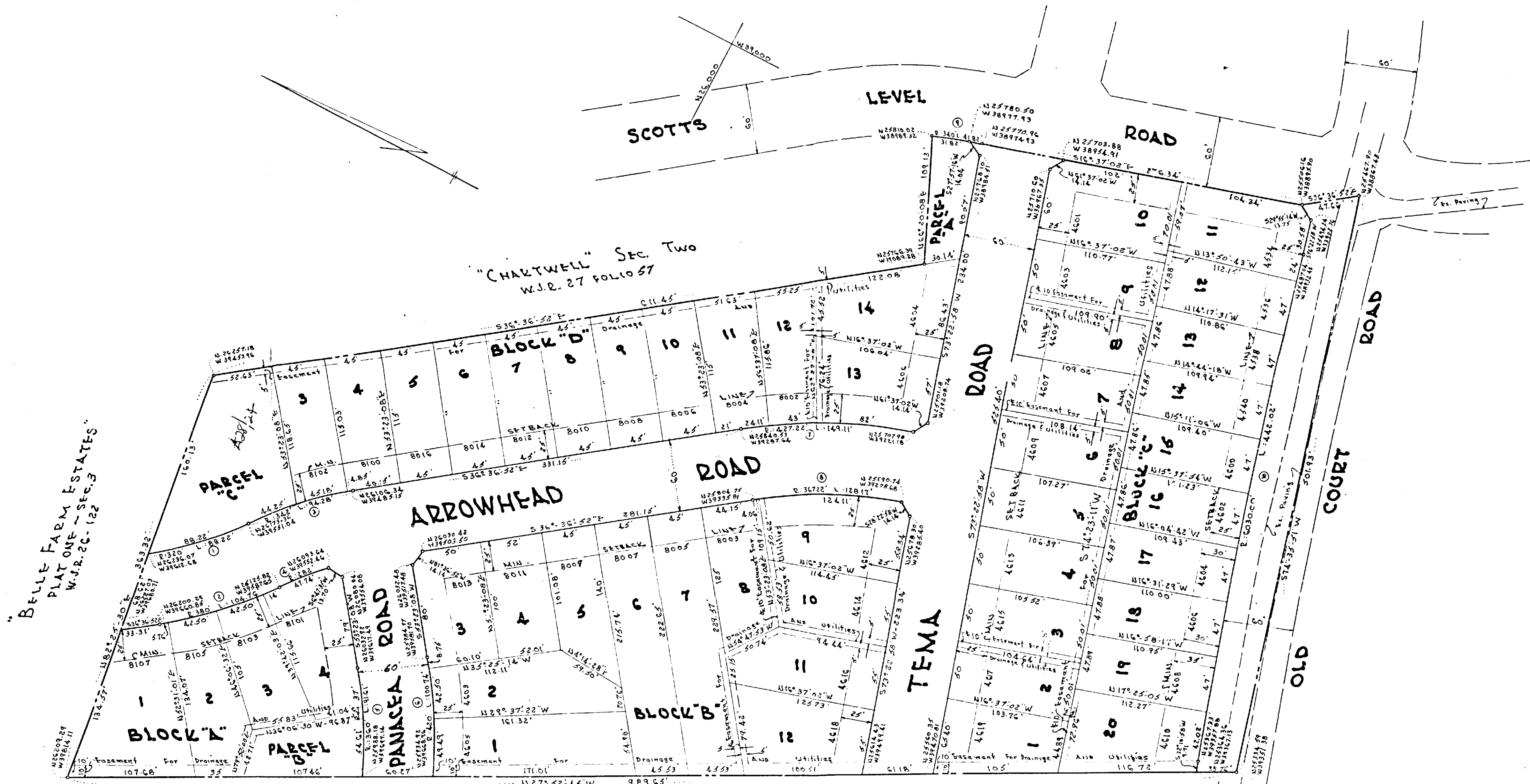
Zoned - DR 5.5

PUBLIC UTILITIES IN STREET

JILL & HARZIE CHARRATL
4616 TENN RD
BALTO. MD. 21208
922-4044



CURVE DATA						
No.	Radius	Δ	Area	Tan	L.C.D.	L.C.B.
1	320'	15°47'42"	88.22	44.31	87.94	N44°30'43"W
2	380'	"	104.76	52.71	104.43	"
3	342'	15°47'42"	94.28	47.41	93.96	N44°30'43"W
4	288'	19°41'59"	47.74	23.93	47.68	N47°33'33"W
5	360'	14°36'39"	91.61	46.05	91.36	S60°40'33"W
6	420'	13°44'34"	108.74	50.61	108.56	S60°15'25"W
7	427.22'	19°59'50"	149.11	74.38	148.53	N32°36'57"W
8	367.22'	"	128.17	64.74	127.50	"
9	340'	7°02'50"	41.82	20.94	41.79	S20°08'27"W
10	6030'	4°12'00"	442.02	221.11	441.92	S74°16'59"W



14
20
+
12
60

W.J.R. 28 FOLIO 24

RECORDED
FEB 2 1962
same day recorded in lib.
W.J.R. No. 28 FOLIO 24
One of the Records of
Baltimore County and ex-
amined, per

Walter J. Primrose
Clerk

PLAT OF

"CHARTWELL ADDITION"
AND A RESUB. OF PARCEL "A" - SEC. 2 - "CHARTWELL"
ELECTION DISTRICT W#2 - BALTIMORE CO.

Scale: 1"=50'

Jan. 20, 1962

OWNER:

GOLDEN GATE HOMES, Inc.
3902 DORCHESTER ROAD
BALTIMORE, Md.

BALTIMORE COUNTY
OFFICE OF PLANNING

FILE COPY

No. II-111

FINAL PLAT

26201800

B.A.J. SEC.
2-1-62

APPROVED-BALTIMORE-COUNTY-PLANNING-BOARD

Walter J. Primrose
COUNTY ENGINEER

2/1/62

William H. F. Warriner, Jr.
DEPUTY STATE & COUNTY HEALTH OFFICE

2/1/62

Walter J. Primrose
DIRECTOR

2/1/62

Walter J. Primrose
REGISTERED LAND SURVEYOR

2/23/62

DATE

<p>Streets and/or roads shown hereon and mention thereof in deeds are for the purpose of description only and are not intended to be dedicated to public use for simple title to the lands shown or to be expressly returned in the grantors of the deed to which this plat is attached their heirs and assigns.</p>	<p>Coordinates and bearings shown on this plat are referred to the system of coordinates established in the Baltimore County Metropolitan District and are based on the following traverse stations.</p> <p>X-1310 - N26245.09 W39829.34 X-1311 - N25340.67 W38637.40</p>	<p>The requirements of Section 76-B Article 17 of the Annotated Code of Maryland (Black 1947 Supplement) as far as they relate to the preparation of this plat have been complied with.</p> <p><i>Walter J. Primrose</i> OWNER</p> <p>2/23/62 DATE</p>	<p>I, W.H. PRIMROSE, a Registered Land Surveyor of the State of Maryland, do hereby certify that the land shown hereon has been laid out, and the plat thereof prepared in accordance with the provisions of the Law relating to the subdivision of land known as House Bill 1437, Chapter 101 of the Acts of 1945 and subsequent amendatory acts.</p> <p><i>Walter J. Primrose</i> REGISTERED LAND SURVEYOR</p> <p>2/23/62 DATE</p>	<p>W.H. PRIMROSE & ASSOCIATES 21 W. PENNSYLVANIA AVE. TOWSON 4, Md.</p>
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